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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/871,427	05/31/2001	Andrew J.R. Smith	3499-76	8901
<div>56678 7590 06/26/2007</div> <div>LEE &amp; HAYES, PLLC 421 W. RIVERSIDE AVE. SUITE 500 SPOKANE, WA 99201</div>				
			<div>EXAMINER</div> <div>HAMILTON, LALITA M</div>	
			<div>ART UNIT</div> <div>3691</div>	<div>PAPER NUMBER</div>
			<div>NOTIFICATION DATE</div> <div>06/26/2007</div>	<div>DELIVERY MODE</div> <div>ELECTRONIC</div>

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

lhpto@leehayes.com

**Office Action Summary**

Application No.

09/871,427

Applicant(s)

SMITH ET AL.

Examiner

Lalita M. Hamilton

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on February.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 13-46 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 13-46 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input checked="" type="checkbox"/> Other: <u>105 requirement</u> .                  |

### DETAILED ACTION

On November 2, 2006, an Office Action was sent to the Applicant rejecting claims 1-34. On February 27, 2007, the Applicant responded by canceling claims 1-12 and adding new claims 35-46.

#### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 13-46 are rejected under 35 U.S.C. 102(e) as being anticipated by Cornelius (7,069,234).

Cornelius discloses a method and corresponding system for e-commerce comprising processing a raw data stream generated by a financial product provider and carrying a plurality of raw data objects containing information related to financial product offerings and subject to periodic updates, receiving a raw data object carried on a raw data stream input, determining an object type of the raw data object, generating a formatted data object based on the contents of the raw data object by applying a set of formatting rules selected in accordance with the determined object type, determining if a prior version of the formatted data object is present in an object storage pool, if a prior version is present in the object storage pool: determining a data differential between the

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formatted data object and the prior version, updating the prior version of the formatted data object to correspond with the generated formatted data object, and incrementing a sequence number associated with the formatted data object, and broadcasting the data differential and the sequence number on an output broadcast data channel selected from a plurality of broadcast channels according to the object type, otherwise, if no prior version is present in the object storage pool, providing the formatted data object to subscriber processes, and storing the formatted data object and an associated initial sequence number in the object storage pool (col.7, line 60 to col.8, line 60; col.13, lines 4-25; col.16, line 25 to col.17, line 25 and lines 45-60; col.141, lines 10-20; col.127, lines 40-45; col.161, line 25 to col.162, line 25; and col.201, lines 36-60); providing the formatted data object comprises broadcasting the formatted data object on the output broadcast channel (col.141, line 60 to col.142, line 8); raw data streams carrying a plurality of raw events containing information which is subject to periodic updates, an information manager receiving the raw data streams as input, a processing database connected to the information manager and having object typing and formatting rules stored therein, and an object storage pool connected to the information manager, the information manager configured to: receive a raw data object carried on a particular raw data stream input, identify an object type of the raw data object in accordance with the object typing rules, generate a formatted data object based on the contents of the raw data object by in accordance with the formatting rules, determine if a prior version of the formatted data object is present in the object storage pool and in response to a negative determination: (a) provide the formatted data object to subscriber processes, and (b)

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store the formatted data object in the object storage pool. otherwise, in response to a negative determination: (a) update the prior version of the formatted data object to correspond with the generated formatted data object, (b) identify a data differential between the formatted data object and the prior version, and (c) broadcast the data differential on an output broadcast data channel (col.7, line 60 to col.8, line 60; col.13, lines 4-25; col.16, line 25 to col.17, line 25 and lines 45-60; col.141, lines 10-20; col.127, lines 40-45; col.161, line 25 to col.162, line 25; and col.201, lines 36-60); the information manager is further configured to: associate a respective sequence number with formatted data objects stored in the object storage pool, increment the respective sequence number during an update to the formatted data object in the storage pool, and broadcast the respective sequence number with the data differential (col.7, line 60 to col.8, line 60; col.13, lines 4-25; col.16, line 25 to col.17, line 25 and lines 45-60; col.141, lines 10-20; col.127, lines 40-45; col.161, line 25 to col.162, line 25; and col.201, lines 36-60); the information manager is further configured to select the broadcast channel from a plurality of broadcast channels according to the identified object type (col.141, line 60 to col.142, line 8); information manager is configured to apply particular formatting rules selected in accordance with the identified object type (col.7, line 60 to col.8, line 60; col.13, lines 4-25; col.16, line 25 to col.17, line 25 and lines 45-60; col.141, lines 10-20; col.127, lines 40-45; col.161, line 25 to col.162, line 25; and col.201, lines 36-60); client manager connected to the broadcast channel, the client manager configured to: receive a particular formatted data object; store the received formatted data object in a database associated with the client manager,

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receive a data differential for the particular formatted object via the broadcast data channel; and update the stored formatted data object in accordance with the received data differential (col.7, line 60 to col.8, line 60; col.13, lines 4-25; col.16, line 25 to col.17, line 25 and lines 45-60; col.141, lines 10-20; col.127, lines 40-45; col.161, line 25 to col.162, line 25; and col.201, lines 36-60); the client manager is further configured to provide information related to data objects stored in the associated database to a plurality of subscribing clients (col.181, lines 5-62); a plurality of client managers are connected to the broadcast data channel (col.141, line 60 to col.142, line 8); the raw data objects comprise information related to a financial product offerings (col.7, line 60 to col.8, line 60; each stream carrying a plurality of raw data objects containing information related to financial product offerings and subject to periodic updates; a translator configured to receive the raw data objects as input and generate raw events comprising a set of name-value pairs derived from data in the raw data objects, a processing database having object typing and formatting rules stored therein, an offer processor connected to the processing database and configured to, in response to the receipt of a raw event: determine an object type associated with the raw event, and generate an external event containing a formatted data object derived from the contents of the received raw event in accordance with the formatting rules, an object storage pool configured to store a plurality of formatted data objects therein, an offer pool manager connected to the object storage pool and configured to, upon receipt of an external event: (a) determine if a prior version of the formatted data object is present in an object storage pool, (b) if a prior version is present in the object storage pool: determine a data

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differential between the formatted data object and the prior version, update the prior version of the formatted data object to correspond with the generated formatted data object, and broadcast the data differential on an output broadcast data channel, (c) otherwise, if no prior version is present in the object storage pool: provide the formatted data object to subscriber processes, and store the formatted data object in the object storage pool (col.7, line 60 to col.8, line 60; col.13, lines 4-25; col.16, line 25 to col.17, line 25 and lines 45-60; col.141, lines 10-20; col.127, lines 40-45; col.161, line 25 to col.162, line 25; and col.201, lines 36-60); the offer pool manager is further configured to: associate a sequence number with the formatted data object stored in the object storage pool, increment the sequence number upon updating the formatted data object, and broadcast the sequence number associated with the formatted data object with the data differential (col.7, line 60 to col.8, line 60; col.13, lines 4-25; col.16, line 25 to col.17, line 25 and lines 45-60; col.141, lines 10-20; col.127, lines 40-45; col.161, line 25 to col.162, line 25; and col.201, lines 36-60); the offer pool manager is configured to provide the formatted data object by broadcasting the formatted data object on the output broadcast channel (col.141, line 60 to col.142, line 8); the offer pool manager is configured to select the broadcast channel from a plurality of broadcast channels in accordance with the object type (col.141, line 60 to col.142, line 8); the offer processor is configured to apply specific formatting rules in accordance with the determined object type (col.7, line 60 to col.8, line 60; col.13, lines 4-25; col.16, line 25 to col.17, line 25 and lines 45-60; col.141, lines 10-20; col.127, lines 40-45; col.161, line 25 to col.162, line 25; and col.201, lines 36-60); processing database further having object validation

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conditions stored therein, the offer processor being further configured to validate the contents of the raw data object in accordance with selected validation conditions (col.7, line 60 to col.8, line 60; col.13, lines 4-25; col.16, line 25 to col.17, line 25 and lines 45-60; col.141, lines 10-20; col.127, lines 40-45; col.161, line 25 to col.162, line 25; and col.201, lines 36-60); the object typing and formatting rules are stored in a tree format; the tree having a root node and at least one descendant stream nodes, each stream node being associated with a specific raw data stream, each stream node further having at least one type leaf node descending therefrom, each type leaf node being associated with a specific object type carried by the raw data stream associated with the respective stream node, each type leaf node having at least one associated object typing rule for identifying objects of the type associated with the respective type leaf node (col.155, line 35 to col.156, line 15); each type leaf node further has at least one associated formatting rule (col.155, line 35 to col.156, line 15); at least one client manager in communication with the information manager, the client manager configured to: receive a particular formatted data object from the offer pool manager, store the particular formatted data object in an associated client manager database, receive a data differential for the particular formatted object via the broadcast data channel, and update the stored formatted data object in accordance with the received data differential (col.7, line 60 to col.8, line 60; col.13, lines 4-25; col.16, line 25 to col.17, line 25 and lines 45-60; col.141, lines 10-20; col.127, lines 40-45; col.161, line 25 to col.162, line 25; and col.201, lines 36-60); the client manager is further configured to communicate information about the formatted data object stored in the subscriber database to a



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remote location (col.7, line 60 to col.8, line 60; col.13, lines 4-25; col.16, line 25 to col.17, line 25 and lines 45-60; col.141, lines 10-20; col.127, lines 40-45; col.161, line 25 to col.162, line 25; and col.201, lines 36-60); processing raw data streams carrying a plurality of raw data objects containing information which is subject to periodic updates, receiving a raw data object carried on a raw data stream input, determining an object type of the raw data object, generating a formatted data object based on the contents of the raw data object by applying a set of formatting rules, determining if a prior version of the formatted data object is present in an object storage pool, if a prior version is present in the object storage pool: determining a data differential between the formatted data object and the prior version, updating the prior version of the formatted data object to correspond with the generated formatted data object, and broadcasting the data differential on an output broadcast data channel; otherwise, if no prior version is present in the object storage pool, providing the formatted data object to subscriber processes, and storing the formatted data object in the object storage pool (col.7, line 60 to col.8, line 60; col.13, lines 4-25; col.16, line 25 to col.17, line 25 and lines 45-60; col.141, lines 10-20; col.127, lines 40-45; col.161, line 25 to col.162, line 25; and col.201, lines 36-60); the formatted data object stored in the object storage pool has an associated sequence number, the step of updating comprising the sequence number of the formatted data object, step of incrementing the the step of broadcasting the data differential including broadcasting the sequence number associated with the formatted data object (col.141, line 60 to col.142, line 8); providing the formatted data object comprises broadcasting the formatted data object on

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the output broadcast channel (col.141, line 60 to col.142, line 8); broadcast channel is selected from a plurality of broadcast channels according to the object type (col.141, line 60 to col.142, line 8); the applied formatting rules are selected in accordance with the determined object type (col.7, line 60 to col.8, line 60; col.13, lines 4-25; col.16, line 25 to col.17, line 25 and lines 45-60; col.141, lines 10-20; col.127, lines 40-45; col.161, line 25 to col.162, line 25; and col.201, lines 36-60); translating the raw data object into a raw event comprising at least one name-value pair prior to performing the steps of determining an object type of the raw data object and generating a formatted data object (col.7, line 60 to col.8, line 60; col.13, lines 4-25; col.16, line 25 to col.17, line 25 and lines 45-60; col.141, lines 10-20; col.127, lines 40-45; col.161, line 25 to col.162, line 25; and col.201, lines 36-60); validating the contents of the raw data object; and upon a failed validation, preventing subsequent broadcast of the data differential or formatted data object derived from the respective raw data object (col.7, line 60 to col.8, line 60; col.13, lines 4-25; col.16, line 25 to col.17, line 25 and lines 45-60; col.141, lines 10-20; col.127, lines 40-45; col.161, line 25 to col.162, line 25; and col.201, lines 36-60); receiving a particular formatted data object at a subscriber process, storing the received formatted data object in a database associated with the subscriber process, receiving at the subscriber process a data differential for the particular formatted object via the broadcast data channel, and updating the stored formatted data object in accordance with the received data differential (col.7, line 60 to col.8, line 60; col.13, lines 4-25; col.16, line 25 to col.17, line 25 and lines 45-60; col.141, lines 10-20; col.127, lines 40-45; col.161, line 25 to col.162, line 25; and col.201, lines 36-60); the

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broadcast data channel is received by a plurality of subscriber processes (col.7, line 60 to col.8, line 60; col.13, lines 4-25; col.16, line 25 to col.17, line 25 and lines 45-60; col.141, lines 10-20; col.127, lines 40-45; col.161, line 25 to col.162, line 25; and col.201, lines 36-60); and the subscriber processes receives a plurality of broadcast channels (col.141, line 60 to col.142, line 8); and communicating information about the subscriber database to a remote location (col.7, line 60 to col.8, line 60; col.13, lines 4-25; col.16, line 25 to col.17, line 25 and lines 45-60; col.141, lines 10-20; col.127, lines 40-45; col.161, line 25 to col.162, line 25; and col.201, lines 36-60).

*Although the Examiner has pointed out particular references contained in the prior art(s) of record in the body of this action, the specified citations are merely representative of the teachings in the art as applied to the specific limitations within the individual claim. Since other passages and figures may apply to the claimed invention as well, it is respectfully requested that the applicant, in preparing the response, to consider fully the entire references as potentially teaching all of the claimed invention, as well as the context of the passage as taught by the prior arts or disclosed by the Examiner.*

### **Response to Arguments**

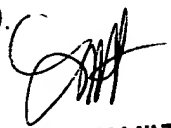
Applicant's arguments with respect to claims 13-46 have been considered but are moot in view of the new ground(s) of rejection.

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lalita M. Hamilton whose telephone number is (571) 272-6743. The examiner can normally be reached on Tuesday-Thursday (6:30-2:30).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kalinowski Alexander can be reached on (571) 272-6771. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

  
**LALITA M. HAMILTON  
PRIMARY EXAMINER**

Serial Number 09/871,427  
Art Unit 3691

**Requirement for Information Under 37 C.F.R. § 1.105**

1. Applicant and the assignee of this application are required under 37 CFR 1.105 to provide the following information that the examiner has determined is reasonably necessary to the examination of this application.

2. In view of the nature of Applicant's assertions and submissions filed May 31, 2001, a question of public use under 35 U.S.C. 102(b) is raised .

Applicant is hereby requested to submit all evidence regarding the use of the claimed invention.

In response to this requirement, please provide:

1) the dates and the extent to which the claimed invention was put into use by the Applicant and to demonstrate with any relevant documentation, specifically, that the use is experimental and not subject to the 35 USC 102(b) statutory bar for public use more than one year prior to the date of filing of the Application.

2) the citation and a copy of each publication which any of the applicants authored or co-authored and which describe the disclosed subject matter.

3) the names of any products or services that have incorporated the claimed subject matter

3. The fee and certification requirements of 37 C.F.R. § 1.97 are waived for those documents submitted in reply to this requirement. This waiver extends only to those documents within the scope of this requirement under 37 C.F.R. § 1.105 that are included in the applicant's first complete communication responding to this requirement. Any supplemental replies subsequent to the first communication responding to this requirement and any information disclosures beyond the scope of this requirement under 37 C.F.R. § 1.105 are subject to the fee and certification requirements of 37 C.F.R. § 1.97.

4. In responding to those requirements that require copies of documents, where the document is a bound text or a single article over 50 pages, the requirement may be met by providing copies of those pages that provide the particular subject matter indicated in the

requirement, or where such subject matter is not indicated, the subject matter found in applicant's disclosure.

5. The applicant is reminded that the reply to this requirement must be made with candor and good faith under 37 CFR 1.56. Where the applicant does not have or cannot readily obtain an item of required information, a statement that the item is unknown or cannot be readily obtained will be accepted as a complete response to the requirement for that item.

6. This requirement is an attachment of the enclosed Office action. A complete response to the enclosed Office action must include a complete response to this requirement. The time period for reply to this requirement coincides with the time period for reply to the enclosed Office action, which is THREE months.

A handwritten signature in black ink, appearing to read 'L. Hamilton', with a horizontal line extending to the right.

LALITA M. HAMILTON  
PRIMARY EXAMINER